

December 8, 2009

UNITED STATES COURT OF APPEALS
FOR THE TENTH CIRCUITElisabeth A. Shumaker
Clerk of Court

In re: ANN MARILYN LEMBERG, a/k/a
Anna Baranovka, a/k/a Golden Liberty,
a/k/a Golden Age No. 2 Mining,

Debtor.

ANN LEMBERG,

Appellant,

v.

MUTUAL OF OMAHA BANK,
successor to Peak National Bank,

Appellee.

No. 09-1325
(BAP No. 09-002-CO)

ORDER

Before **KELLY, BRISCOE**, and **O'BRIEN**, Circuit Judges.

Appellant Ann Lemberg appeals the final judgment entered by the United States Bankruptcy Appellate Panel ("BAP"). We dismiss for lack of jurisdiction. The notice of appeal is untimely.

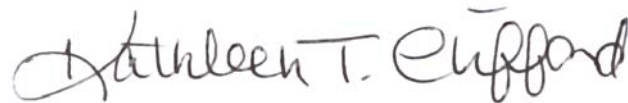
A party has thirty days after entry of a final judgment to file a timely notice of appeal. See Fed. R. App. P. 4(a)(1)(A) and 6(b)(1). In *Bowles v. Russell*, 551 U.S. 205, 127 S.Ct.

2360, 2366 (2007), the Supreme Court made clear that “the timely filing of a notice of appeal in a civil case is a jurisdictional requirement.”

In this case, final judgment was entered June 22, 2009. The thirty-day deadline for filing a timely notice of appeal expired July 22, 2009. Appellant Lemberg filed her notice of appeal on July 23, 2009, which was one day past the thirty-day deadline. Appellant did not seek an extension of time to file her appeal. *Pro se* appellants must comply with the requirements of the Federal Rules of Appellate Procedure that govern all litigants. *See Ogden v. San Juan County*, 32 F.3d 452, 455 (10th Cir. 1994).

The appeal is **DISMISSED** for lack of appellate jurisdiction.

Entered for the Court,
Elisabeth A. Shumaker, Clerk

A handwritten signature in dark ink, reading "Kathleen T. Clifford". The signature is fluid and cursive, with the first name "Kathleen" being more prominent and the last name "Clifford" following in a similar style.

Kathleen T. Clifford
Attorney - Deputy Clerk